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IN MEMORIAM.

ADDRESS

OF

HON. CHAUNCEY M. DEPEW
OF NEW YORK,¹¹

UPON THE

LIFE AND CHARACTER

OF

HON. GEORGE FRISBIE HOAR

(Late a Senator from the State of Massachusetts),

DELIVERED IN THE

SENATE OF THE UNITED STATES,

Saturday, January 28, 1905.

WASHINGTON.

1905.

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ADDRESS OF HON. CHAUNCEY M. DEPEW.

MEMORIAL ADDRESSES ON THE LATE SENATOR HOAR.

Mr. LODGE. Mr. President, before sending the resolutions to the desk I wish to state, as I have been asked to do, that the Senator from Wisconsin [Mr. SPOONER], who was very anxious to be here to-day and to speak to the resolutions, and whose long friendship with Mr. HOAR is well known to the Senate, is unfortunately prevented suddenly by illness from coming; he is unable to leave his house. I now send the resolutions to the desk.

The PRESIDENT pro tempore. The Senator from Massachusetts submits resolutions, which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. GEORGE F. HOAR, late a Senator from the State of Massachusetts.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDENT pro tempore. Will the Senate agree to the resolutions?

The resolutions were unanimously agreed to.

Mr. DEPEW. Mr. President, it is asserted by many writers that the Senate has seen its best days. They claim that the statesmen who made this body famous in the earlier periods of our history have not had any successors of equal merit or genius. The Senate does not change, but the questions which it must discuss and decide are new with each generation. There is a broad distinction between the elucidation and solving of problems which relate to the foundations and upbuilding of institutions, which are vital to their preservation and perpetuity, and the materialistic issues of finance, commercialism, and industrialism. The one arouses in the orator every faculty of his mind, every possibility of his imagination, every aspiration of his soul, and every emotion of his heart, while the others demand mainly the aptitude and experience of the college professor or the expert or student on subjects which affect the fortunes of the factory, the mill, the furnace, and the farm.

Webster could command the attention of listening Senates and of an anxious and expectant country with orations which have become part of our best literature and educate the youth of our schools on interpretations of the Constitution of the United States

upon which depend the life or death of liberty. But Webster could hold only temporary interest and a narrow audience on tariff schedules upon wool or lumber, upon iron or cotton fabrics, or upon bimetallism or the single standard. Hamilton and Jefferson and their antagonistic schools were creating with little precedent to guide them a form of government in which liberty and law would give the largest protection to the individual citizen and maintain order and promote the greatest happiness of the mass. The one believed these results could best be obtained by centralized power, the other by its distribution among the States. There was then brought into play the loftiest creative and constructive genius which the world has known.

Webster, Clay, and Calhoun, the Senatorial triumvirate, who attained the zenith of Senatorial fame, made their reputations and that of this body upon the discussion of implied powers in the Constitution, affecting not only the nation's life but the destruction or perpetuity of human slavery. Webster, in that immortal speech, which educated millions of our youth to rush to arms when the Republic was in danger, preached from the text of "Liberty and union, now and forever, one and inseparable." Calhoun saw clearly the extinction of slavery with the growth of the country and brought to the defense of the system resources, intellectual and logical, never equaled; while Clay postponed the inevitable through compromises which were adopted because of his passionate pleas of marvelous eloquence for peace and unity. So in the acute stage of the controversy, which resulted in the civil war and ended in the enfranchisement of the slaves, Seward here and Lincoln on the platform, were appealing to that higher law of conscience, which uplifts the orator and audience to a spiritual contemplation of things material.

Happily the work of the founders in one age and the saviors in another has left to us mainly the development, upon industrial lines, of our country's resources and capabilities. We produced no heroes in over half a century, and yet when the war drums called the nation to arms, Grant, from the tannery, and Lee, from a humble position in the Army, rose to rank among the great captains of all the ages. Had the civil war never occurred, Grant would have lived a peaceful and modest mercantile life in a country town of Illinois, and Lee would have passed the evening of his days in equal obscurity upon the retired list of the United States Army. Better, if the contest can be honorably averted, that a hero should never be known than that his discovery should be brought about by the calamities of war, the sacrifice of hundreds of thousands of lives, and the distress, demoralization, and devastation of civil strife.

We pay our tribute to-day to one who in any of these great periods would have stood beside the most famous, to one who, having the experience of a longer continuous term in Congress than any other citizen ever enjoyed, testified on all occasions to the increasing power, growth, and beneficent influence of this body, and to the ever advancing purity of American public life. His education and opportunities, his singularly intimate connection with the glorious past and the activities of the present, made him a unique and in a measure an isolated figure. He was educated under conditions and in surroundings which de-

veloped for the public service conscience, heart, and imagination. A lawyer of the first rank by heredity, study, and practice, he nevertheless approached public questions, not from the standpoint of the pleader but the orator; not as an advocate with a brief, but as a patriot with a mission. He cast his first vote in 1847, when all the fire of his youth had been aroused by the slavery agitation. He came actively into politics the year after, when the Democratic party had divided into the Free Soil and slavery men, and the Whig party was split between the adherents of conscience or cotton. He began his career upon the platform and his preparation for the public service as a conscience Whig.

He saw the preparation, through the American or Know-Nothing party, in which Whigs and Democrats were acting together, of an organization upon broader lines. No one worked harder or more intelligently for the fusion of men of opposite creeds on industrial questions, but of one mind in opposition to slavery, into a National Constitutional Antislavery party. When that party came into existence in 1856 with a Presidential candidate and platform it had no more ardent sponsor for its faith and its future than Senator HOAR. A party whose fundamental creed was liberty for all men of every race and color appealed to the poetic and sentimental side of our friend and to the revolutionary ideas with which he was saturated. He came to believe that the worst which the Republican party might do would be more beneficial to the country than the best which its opponent was capable of. Though often differing from his party associates, his combat was to accomplish his purposes within the lines. He bowed to the will of the majority in his action, without surrendering his individual convictions as to the wisdom of the policy. He claimed, and with much reason, that the party had come after repeated trials, in many instances, to his way of thinking, and if those who went outside of the breastworks and lost all influence had remained with him his ideas would sooner have been adopted. We have here the explanation of the only criticism which has ever been passed upon his public acts. As in the Hawaiian and Panama questions, where his eloquence gave comfort to the opposition and grieved his friends, his votes supported the position of the majority and the policies of the Administration.

It was a high privilege to be a member of the Judiciary Committee of the Senate under his chairmanship. It was a court presided over by a great lawyer. With courteous deference to the members, bills were sent to subcommittees, but when the subcommittee made its report, they found that the questions had been exhaustively examined before by the chairman. The subcommittee which had perfunctorily done its work received in the form of a polite statement and exposition of the case the report which, if they had attended to their duties, they ought to have made. This work required not only vast legal knowledge and accurate judgment but prodigious industry. It was that rare condition of mind where work becomes a habit, and with Senator HOAR when the committee or the Senate or law or literature failed to give him occupation, he would pass the idle hours in translating Thucydides or some other Greek author into English.

In the examination at the close of the last session, before the Committee on Privileges and Elections, of the president and apostles of the Mormon Church, himself a close student of all theologies and an eminent Unitarian, he was aroused by the claim of divine inspiration for the words and acts of the Mormon apostles. He drew from President Smith the statement that the action of his predecessor, President Woodruff, in reversing the doctrine of polygamy, heretofore held by the church, was directly inspired by God, and then made him testify that though living under the inspiration of the presidency of the church he was also living in direct violation of that revelation by remaining a polygamist. In the course of a long cross-examination he drew from Apostle Lyman statements of doctrine and beliefs, and subsequently contradictions of these positions, and then forced the apostle to swear that both the assertion and the contradiction were inspired by God.

At the age of forty-three he was at the cross-roads of his career. He had reached a position at the bar which placed within his grasp the highest rewards of the profession of the law. The country was entering upon an era of speculation, of railroad building, the bankruptcy and reorganization of combinations of capital in the creation and consolidation of corporations, which called for the highest talents and the best equipment of lawyers. Questions as to the power of the General Government over corporations created by States and the powers of the States as to limitations and confiscations of corporations engaged in interstate commerce interested capital and labor, shippers, and investors. The largest fees and fortunes ever known in the history of the practice of the law came to those who demonstrated their ability during these wonderful years. On the threshold of this temple of fortune and fame at the bar Mr. Hoar was elected to the United States Senate. He knew that he lived in a State whose traditions were to keep its public men who merited its confidence continuously in Congress. He felt that in the great questions still unsolved which had grown out of the civil war and the marvelous development of the country he could perform signal public service. His decision was made. The courts lost a great lawyer, the Senate gained a great statesman, and he lived and died a poor man.

I spent a memorable night with Mr. Gladstone when in a reminiscent mood, and with a masterful discrimination and eloquence he conversed upon the traditions of the House of Commons during the sixty years of his membership. As the stately procession of historic men and measures came into view, they were inspired by the speaker with all the characteristics and methods of their period. The changes which had occurred were detailed by a master who loved and revered the Commons. Senator Hoar would do this for the thirty-seven years of his activities in Congress, but with a wit and humor which Gladstone lacked. He remembered the sarcasm, or the ridicule, or the epigram, or the witticism, or the illustration which had not only illumined but ended the debate, and the opposing debater.

We read with wonder of the nights when Samuel Johnson gathered about him Goldsmith and Burke and Reynolds and Garrick; and Boswell could make immortal volumes of their

conversations, especially at this time when conversation is becoming a lost art, because the shop has invaded the drawing-room and the dinner table, and cards have captured society.

But Senator HOAR knew his favorites among the Greek and Roman classics, and the Bible and Shakespeare by heart. He could quote with a familiarity of frequent reading and retentive memory from the literature of the period of Queen Elizabeth and of Queen Anne, as well as the best of modern authors, and he was a member of that coterie which met weekly at Parker's, in Boston, where Longfellow, Hawthorne, Whittier, and others reproduced for our day, and in better form, the traditions of the Johnsonian Parliament, and where the Senator and his brother were the quickest and the wittiest of the crowd.

Whether in conversation or debate there never has been in the American Congress a man so richly cultured and with all his culture so completely at command.

The statesmen of the Revolution were with Senator HOAR living realities. The men of the present were passing figures, fading into obscurity, compared with these immortals. In a remarkable speech he said of the signers of the Declaration: "We, not they, are the shadows." On his father's side, his grandfather, two great grandfathers, and three uncles were in Lincoln's company at Concord Bridge, and his mother was a daughter of Roger Sherman, whom he thought the wisest and ablest of the members of the Continental Congress. He was the only person who signed all four of the great state papers to which the signatures of the Delegates of the different Colonies were attached: The Association of 1774, the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

His mother remembered, as a little girl, sitting on Washington's knee and hearing him talk, and her sister, the mother of William M. Evarts, when a child of 11, opened the door for General Washington as he was leaving the house after his visit to her father, Roger Sherman. The General, with his stately courtesy, "put his hand on her head and said, 'My little lady, I wish you a better office.' She dropped a courtesy and answered, quick as lightning, 'Yes, sir; to let you in.'" He lived all his life in this atmosphere of his youth. The marvelous results of the working of the principles of the charter framed in the cabin of the *Mayflower* for "just and equal laws," and of the Declaration of Independence in the development of orderly liberty for his countrymen, convinced him that the same rights and privileges would end as happily, after trial, with the negroes of the South and the people of the Philippine Islands and of the Russian Empire. It was a matter with him not of pride or boastfulness, but of sustaining power under responsibilities that in every Congress from the beginning had been a representative of the Sherman clan. I was distantly related to him by the same tie, and he exhibited an elder brotherly and almost fatherly watchfulness and care for me when I entered the Senate.

His cousins, William M. Evarts and Roger Minot Sherman, were the foremost advocates of their periods, his father eminent at the bar, and his brother Attorney-General of the United States, and yet he would have been the equal of either as a law-



yer if he had climbed for its leadership. It has been the high privilege of his colleagues here to meet, converse, work, and debate with a Mayflower Puritan, possessed of all the culture and learning of the twentieth century, but with the virtues, the prejudices, the likes and dislikes, the vigor and courage of the Pilgrim Fathers, neither softened nor weakened by the looseness of creeds nor the luxury of living of to-day. As our friend the Senator from Massachusetts [Mr. Lodge] said in his most discriminating and eloquent eulogy—the best, I think, I have ever heard as a tribute of an associate and friend—Senator HOAR would have died like a martyr for his principles. In 1850 he delivered a speech in Mechanics' Hall, at Worcester, upon the evils of slavery and the crime of its extension into the Territories, which attracted general attention and was widely published. Fifty-four years afterwards he was again before an audience in Mechanics' Hall, composed of the children and grandchildren of the first.

The dread summons had then come to him, and he had but few days to live. The old warrior spoke with the fire of his early manhood, but his message to his neighbors and countrymen after a half century was not of war, as before, but of peace, love, and triumph. The progress and development of the Republic during these fifty years of liberty was his theme. He looked joyously upon the past and present and was full of hope and confidence for the future. He had finished his work and performed a great part in great events of great moment for his country and humanity, and he left to his contemporaries and posterity the brilliant example of a life nobly lived.

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